

**UNITED STATES DISTRICT COURT  
DISTRICT OF RHODE ISLAND**

**CITIBANK, N.A AS TRUSTEE FOR AMERICAN HOME  
MORTGAGE ASSETS  
TRUST 2006-3, MORTGAGE BACKED PASS-THROUGH  
CERTIFICATES SERIES 2006-3**

**VS**

**C.A. NO:1:18-cv-427-JJM**

**KATHERINE L. CAITO  
INTERNAL REVENUE SERVICE**

**MOTION FOR SUMMARY JUDGMENT**

Defendant, by her attorney, pursuant to FRCP 56 and for the reasons stated in the attached Memorandum of Law moves for Summary Judgment on all counts of the Amended Complaint. There is no genuine issue of material fact and the Plaintiff has not complied with the terms of the mortgage by mailing the Defendant a default notice pursuant to the terms of the mortgage and by failing to accelerate the mortgage loan prior to commencing this action. There are no genuine issues of material fact and Defendant is entitled to Judgment as a matter of law. For these reasons the complaint should be dismissed with prejudice for failure to comply with the terms of the mortgage with attorney fees and costs to the Defendant.

KATHERINE L. CAITO

By her Attorney

May 15, 2019

/s/ John B. Ennis

John B. Ennis, Esq. #2135

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CERTIFICATION

I hereby certify that I emailed a copy of the above Motion for Summary Judgment to the following electronically on this 15th day of May, 2019:

Samuel Bodurtha

Ethan Z. Tieger

/s/ John B. Ennis